

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

|                            |   |                 |
|----------------------------|---|-----------------|
| EQUIPMENT FINANCE, LLC,    | ) |                 |
|                            | ) | Civil Action    |
| Plaintiff                  | ) | No. 09-cv-01964 |
|                            | ) |                 |
| vs.                        | ) |                 |
|                            | ) |                 |
| STEVEN M. HUTCHISON; and   | ) |                 |
| BLUE HORIZON VEGETATIVE    | ) |                 |
| RECYCLING & LAND CLEARING, | ) |                 |
| INC.,                      | ) |                 |
|                            | ) |                 |
| Defendants                 | ) |                 |

VERDICT

NOW, this 27<sup>th</sup> day of September, 2011, after trial without jury before the undersigned on October 26, 2010; and based upon the Findings of Fact, Conclusions of Law, and Discussion contained in the accompanying Adjudication, I find as follows:

On Count I of plaintiff's Complaint filed May 8, 2009 for Breach of Contract on Note, I find in favor of plaintiff Equipment Finance, LLC and against defendant Steven M. Hutchison in the amount of \$151,654.09.

On Count II of plaintiff's Complaint for breach of Implied Contract, I find in favor of plaintiff Equipment Finance, LLC and against defendant Steven M. Hutchison in the amount of \$1,352,040.00.<sup>1</sup>

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<sup>1</sup> As explained in the accompanying Adjudication, plaintiff's claim in Count III against defendant Hutchison for Unjust Enrichment is an alternative theory of liability to plaintiff's claim in Count II for Implied Contract. Accordingly, because I find favorably for plaintiff on its Implied Contract claim in Count II, I do not reach Count III.

On Count IV of plaintiff's Complaint for breach of Implied Contract, I find in favor of defendant Blue Horizon Vegetative Recycling & Land Clearing, Inc. and against plaintiff Equipment Finance, LLC.

On Count V of plaintiff's Complaint for Unjust Enrichment, I find in favor of defendant Blue Horizon Vegetative Recycling & Land Clearing, Inc. and against plaintiff Equipment Finance, LLC.

BY THE COURT:

/s/ James Knoll Gardner  
James Knoll Gardner  
United States District Judge